

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

BERNARD JERRY-EL,	:
Plaintiff	:
v.	: Case No. 3:21-cv-71-KRG-KAP
MELISSA HAINSWORTH, WARDEN,	:
S.C.I. LAUREL HIGHLANDS,	:
Defendant	:

Memorandum Order

Plaintiff's motion at ECF no. 76 styled "Plaintiff's Motion to Include Exhibit 1...." is denied without prejudice. No exhibit was attached. When plaintiff sends it, he should put a cover sheet on it labeling it as Exhibit 1.

Plaintiff's motion at ECF no. 77 styled "Motion for Rule 60(b) Relief" is denied as explained herein.

Plaintiff is serving a life sentence that he has been challenging for decades in more than twenty different state collateral attacks and federal habeas cases. Plaintiff also has filed numerous civil suits challenging his conditions of confinement. This case is one of those challenges to the conditions of confinement.

However, ECF no. 77, although given the number of this case and therefore docketed here, seeks to vacate Judge Conti's Order of November 21, 2017, *see* Memorandum Opinion at ECF no. 20 in Jerry-el v. Luther, Case No. 2:16-mc-404-JFC-RCM (W.D.Pa. November 21, 2017), *certificate of appealability denied*, No. 17-3682 (3d Cir. June 20, 2018), denying a Rule 60(b) motion seeking to reopen the judgment in plaintiff's federal habeas case, Jerry-el v. Petsock, Case no. 2:82-cv-2357-GLL-RCM (W.D.Pa. November 5, 2006), *certificate of appealability denied*, No. 06-2122 (3d Cir. July 21, 2006), *cert. denied* No. 06-7682 (U.S. January 22, 2007).

The Clerk should docket a duplicate copy of ECF no. 77 at Jerry-el v. Luther, Case No. 2:16-mc-404, for consideration by Judge Conti.

DATE: May 22, 2023

  
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Keith A. Pesto,  
United States Magistrate Judge

Notice to counsel of record by ECF and by U.S. Mail to:

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